

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

MOHAMOOD IBRAHIM ALI,	:	CIVIL ACTION – LAW
Plaintiff	:	
	:	
v.	:	
	:	NO.
JOHN J. CONCEPCION, DESMOND	:	
CRAWLEY, ILEE REALTY, LLC,	:	
JUST FOUR WHEELS, INC., and	:	
ESAITCH HOLDINGS, INC.,	:	
Defendants	:	

NOTICE OF REMOVAL

Defendant, John J. Concepcion (hereinafter referred to as “Moving Defendant”) files the following Notice of Removal, and in support of same states the following:

1. Defendant, John J. Concepcion is an adult individual and citizen of Mercer County, New Jersey. Defendant resides at 5 Moffatt Avenue, Hamilton, NJ 08629. See Exhibit “A”.
2. Plaintiff, Mohamood Ibrahim Ali is an adult individual and is a citizen of Franklin County, Ohio. Plaintiff resides at 3968 Middlemore Drive, Columbus, OH 43219. See Exhibit “A”.
3. Defendant, Desmond Crawley is an adult individual and citizen of Mercer County, New Jersey. Defendant allegedly resides at 315 South Clinton Avenue, Apt. 3, Trenton, NJ 08609 who has not been served per the dockets. See Exhibits “A” and “B”.
4. Defendant, Ilee Realty, LLC is a limited liability company registered in the Commonwealth of Pennsylvania with its principal place of business at 112 Olsher Lane, Pocono Pines, PA 18350. On information and belief, Defendant is a citizen of Monroe County, Pennsylvania who has not been joined and served per the dockets. See Exhibits “A” and “B”.
5. Defendant, Just Four Wheels, Inc. is a New Jersey corporation or other business entity with its principal place of business located at 324 East White Horse Pike, Galloway, NJ

08205. Defendant is a citizen of Atlantic County, New Jersey who has not been served per the dockets. See Exhibits “A” and “B”.

6. Defendant, Esaitch Holdings, Inc. on information and belief is a Pennsylvania corporation or other business entity with its principal place of business at 9456 State Road, Suite 11, Philadelphia, PA 19114. Defendant is a citizen of Philadelphia County, Pennsylvania who has not been joined and served per the dockets. See Exhibits “A” and “B”.

7. The Plaintiff filed a Complaint against Defendants in the Court of Common Pleas of Philadelphia County, Pennsylvania on October 17, 2024, seeking personal injury benefits. The Complaint was docketed at Philadelphia County Court of Common Pleas, No. 241002206. See Exhibit “A.”

8. In his Complaint, Plaintiff seeks damages for personal injury benefits as a result of a motor vehicle accident on August 3, 2024.

9. Although Co-Defendant, Ilee Realty, LLC is alleged to be a citizen of Pennsylvania, they have not been joined and served based on the dockets (attached as Exhibit “B”).

10. Thus, as Ilee Realty, LLC has not been properly joined and served, its being named to the caption does not defeat diversity. See 28 U.S.C. 1441(b)(2) and Encompass Ins. Co. v. Stone Mansion Rest., Inc., 902 F. 3d 147 (3d Cir 2018).

11. Although Co-Defendant, Esaitch Holdings, Inc. is alleged to be a citizen of Pennsylvania, they have not been joined and served based on the dockets (attached as Exhibit “B”).

12. Thus, as Esaitch Holdings, Inc. has not been properly joined and served, its being named to the caption does not defeat diversity. See 28 U.S.C. 1441(b)(2) and Encompass Ins. Co. v. Stone Mansion Rest., Inc., 902 F. 3d 147 (3d Cir 2018).

13. Accordingly, at this time complete diversity of citizenship exists between Plaintiff, a citizen of Ohio, and the Defendants citizens of New Jersey and Pennsylvania and the amount in controversy is in excess of Seventy-Five Thousand Dollars (\$75,000.00).

14. Removal is timely under U.S.C. § 1446(b) because less than thirty (30) days have

elapsed since filing and service of the Complaint on Defendant, John J. Concepcion on November 14, 2024.

15. Defendant will give written notice of the Plaintiff, as required by 28 U.S.C. § 1416(d).

16. A copy of this Notice will be filed with the Prothonotary of Philadelphia County, Pennsylvania as required by 28 U.S.C. 1446 § (d).

FORRY ULLMAN

BY: /s/ James W. Watson
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Dated: 12/12/2024

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ESAITCH HOLDINGS, INC.,	:	
Defendants	:	

CERTIFICATE OF SERVICE

I, James W. Watson, Esquire hereby certify that on the date noted below, a true and correct copy of Defendant's Notice of Removal was served via email to the following party(ies):

Counsel for Plaintiff:
Joshua D. Leaver, Esquire
PION LAW
2404 Park Drive, Suite 404
Harrisburg, PA 17110
jleaver@pionlaw.com

This statement is made subject to the penalties of 18 U.S.C. § 1621, relating to perjury.

FORRY ULLMAN

BY: */s/ James W. Watson*
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Dated: 12/12/2024